

U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
73544 Hwy 64  
Meeker, CO 81641

## ENVIRONMENTAL ASSESSMENT

**NUMBER:** CO-110-2004-118 -EA

**CASEFILE/PROJECT NUMBER** (optional):

**PROJECT NAME:** Timber Gulch Riparian Pasture Fence Relocation

**LEGAL DESCRIPTION:** T 2S R 95W Sec 10, 11

**APPLICANT:** Shults Ranch LLP

**ISSUES AND CONCERNS** (optional): N/A

**DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:**

**Proposed Action:** The proposed action is relocation of 3/8 mile of the existing Timber Gulch Riparian Pasture fence (a 4 strand barb wire type D fence) from the ridgeline just east of Open Gulch (Sections 10 and 11, T2S R95W) to the next ridgeline to the east in Section 11. This would entail moving the fence 1/4- 3/8 mile east of its present location.

The fence would be totally removed from its present location where it ties into the Hyberger fence for about 3/8 miles to the north and all salvageable materials would be reutilized to construct the fence in its new location. The relocated fence would go down the short ridge in Sec. 11 for about 1/4 mile. It would then corner and cross the draw below or North of the Timber Gulch spring and then tie into the existing fence about 3/8 miles up the west section line of Sec 11. All work would be completed by the grazing permittees, Lonnie and Todd Shults. The new fence line right of way would be 12 feet in width and will be cleared by hand, with a tractor powered rotary brush beater, or with a small crawler tractor which would "brush" the line with its blade raised off the ground to minimize earthen disturbance. All disturbed areas will be revegetated with Native seed mix #6.

**No Action Alternative:** The fence would not be relocated and the livestock would continue to have limited water sources.

**NEED FOR THE ACTION:** The fence as presently located serves a limited purpose as far as riparian development, because below Timber Gulch Res. #3 there is typically no perennial flow.

Furthermore, the fence as presently located prevents livestock use of the spring in the SWNW Sec 11 which would aid in obtaining proper livestock distribution in the Bear Ridge pasture. Presently the only dependable water source is in Little Joe Bush draw, more than 1 mile west of the fence as presently located. The lack of water in the current situation constrains effective use of the Bear Ridge pasture as part of the Shults/Segar Gulch allotment grazing management plan. This project has been initiated at the request of the grazing permittee, Shults LLP and they have committed to completing the work themselves.

**PLAN CONFORMANCE REVIEW:** The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Livestock Grazing, Range Improvements, p 2-25

Decision Language: Range improvements are necessary to control livestock use and improve rangeland condition.

### **AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:**

**STANDARDS FOR PUBLIC LAND HEALTH:** In January 1997, Colorado Bureau of Land Management (BLM) approved the Standards for Public Land Health. These standards cover upland soils, riparian systems, plant and animal communities, threatened and endangered species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. Because a standard exists for these five categories, a finding must be made for each of them in an environmental analysis. These findings are located in specific elements listed below:

### **CRITICAL ELEMENTS**

#### **AIR QUALITY**

*Affected Environment:* Air quality in the project area is presently excellent.

*Environmental Consequences of the Proposed Action:* There will be no impact on air quality.

*Environmental Consequences of the No Action Alternative:* There will be no change from the present situation.

*Mitigation:* None

## **CULTURAL RESOURCES**

*Affected Environment:* The proposed new fence line location and the fence line being removed has been inventoried at the Class III (100% pedestrian) level with no cultural resources identified in the inventoried area.

*Environmental Consequences of the Proposed Action:* If mitigation measures are followed there will be no impacts to cultural resources.

*Environmental Consequences of the No Action Alternative:* There would be no impacts to cultural resources under the No Action Alternative.

*Mitigation:* All construction must be confined the surveyed route of the new fence line and the fence line to be removed.

## **INVASIVE, NON-NATIVE SPECIES**

*Affected Environment:* Noxious and problem weeds known to occur at or near the project site include Canada thistle (*Cirsium arvense*), bull thistle (*Cirsium vulgare*) and mullein (*Verbascum thapsus*).

*Environmental Consequences of the Proposed Action:* The proposed action will create minor earthen disturbance which if left unrevegetated and unmonitored will create safe sites for the establishment of noxious and problem weeds.

*Environmental Consequences of the No Action Alternative:* There will be no change from the present situation.

*Mitigation:* Promptly revegetate all disturbed areas with native seed mix #6 and eradicate all noxious and problem weeds using materials and methods approved by the authorized officer.

## **MIGRATORY BIRDS**

*Affected Environment:* The project area consists of a steep mountain shrub slope and a basin big sagebrush dominated valley. There are a number of migratory birds that fulfill nesting functions in these types during the months of May, June, and July, including several species identified as having higher conservation interest by the Rocky Mountain Bird Observatory, Partners in Flight program (i.e., Brewer's sparrow, green-tailed towhee, Virginia's warbler).

*Environmental Consequences of the Proposed Action:* This project would be implemented during the late summer and fall of 2004 when virtually all viable nesting attempts have been completed. Vegetation clearing and fence removal/installation would have no substantive influence on the breeding activities of migratory birds.

*Environmental Consequences of the No Action Alternative:* There would be no action authorized that would have potential to disrupt the breeding activities of migratory birds.

*Mitigation:* None

#### **THREATENED, ENDANGERED, AND SENSITIVE ANIMAL SPECIES (includes a finding on Standard 4)**

*Affected Environment:* There are no animals listed under the Endangered Species Act or included on BLM's sensitive species list that inhabit or derive important benefit from the area potentially influenced by the proposed action.

*Environmental Consequences of the Proposed Action:* The proposed action would have no conceivable influence on special status animals or associated habitat.

*Environmental Consequences of the No Action Alternative:* There would be no action authorized that would have potential to affect special status animals or associated habitat.

*Mitigation:* None

*Finding on the Public Land Health Standard for Threatened & Endangered species:* Because there are no special status animals associated with this proposal, a land health standard finding is not relevant. There would be no change in the status of the land health standard for threatened & endangered animals.

#### **WASTES, HAZARDOUS OR SOLID**

*Affected Environment:* There are no known hazardous or other solid wastes on the subject lands. No hazardous materials are known to have been used, stored or disposed of at this site.

*Environmental Consequences of the Proposed Action:* No listed or extremely hazardous materials in excess of threshold quantities are proposed for use in this project. While commercial preparations of fuels and lubricants proposed for use may contain some hazardous constituents, they would be stored, used and transported in a manner consistent with applicable laws, and the generation of hazardous wastes would not be anticipated.

*Environmental Consequences of the No Action Alternative:* No hazardous or other solid wastes would be generated under the no action alternative.

*Mitigation:* The operator shall be required to collect and properly dispose of any solid wastes generated by this project.

## **WETLANDS AND RIPARIAN ZONES (includes a finding on Standard 2)**

*Affected Environment:* There are no wetlands or riparian zones directly associated with this fence project although it is likely that completion of this project will influence riparian conditions offsite.

*Environmental Consequences of the Proposed Action:* Implementation of this project, by enhancing livestock distribution in the Bear Ridge pasture of the Segar Gulch allotment, should result in an overall improvement of wetland/ riparian conditions in the Timber Gulch watershed of the Dry Fork of Piceance Creek

*Environmental Consequences of the No Action Alternative:* There will be no change from the present situation.

*Mitigation:* None

*Finding on the Public Land Health Standard for riparian systems:* Riparian conditions in the Timber Gulch are in an upward trend and meet the Standard. Implementation of this project should enhance our ability to meet the Standard in the future

## **CRITICAL ELEMENTS NOT PRESENT OR NOT AFFECTED:**

No ACEC's, flood plains, prime and unique farmlands, wild and scenic rivers, threatened, endangered or sensitive plants exist within the area affected by the proposed action. Furthermore, there is no reasonable likelihood that the proposed action or no action alternative would have an influence on whether water quality would meet the Public Land Health Standard. For threatened, endangered and sensitive plants species Public Land Health Standard is not applicable since neither the proposed nor the No Action alternative would have any influence on populations of, or habitats potentially occupied by, special status plants. There are also no Native American religious or environmental justice concerns associated with the proposed action.

## **NON-CRITICAL ELEMENTS**

The following elements **must** be addressed due to the involvement of Standards for Public Land Health:

## **SOILS (includes a finding on Standard 1)**

*Affected Environment:* Soils in the project area are primarily in the Irigul- Parachute complex. They vary from shallow to moderately deep and have been formed in residuum from sandstone and shale parent material. These soils are loamy, moderately well drained and their production potential is primarily limited by the short length of the growing season.

*Environmental Consequences of the Proposed Action:* Project implementation will cause minor short term soil disturbance, the negative impact of which will be offset by the watershed and landscape impact of properly managed grazing.

*Environmental Consequences of the No Action Alternative:* There will be no change from the present situation.

*Mitigation:* Promptly revegetate all earthen disturbances and monitor the project area for a minimum of three years to insure that no noxious or problem weeds establish onsite.

*Finding on the Public Land Health Standard for upland soils:* Soils in the project area will continue to meet the Standard as a result of project implementation.

## **VEGETATION (includes a finding on Standard 3)**

*Affected Environment:* Vegetation in the project area is predominately a mixture of mountain big sagebrush and Utah serviceberry with some mottes of Gambel oak. The understory is a diverse mixture of herbaceous perennial grasses and forbs.

*Environmental Consequences of the Proposed Action:* The proposed fence relocation will create minor soil and vegetation disturbance. The negative impact of this disturbance will be outweighed by the beneficial impact of improved grazing distribution in the Bear Ridge pasture that results from relocation of the fence.

*Environmental Consequences of the No Action Alternative:* There will be no change from the present situation.

*Mitigation:* Promptly revegetate all disturbed areas with Native seed mix #6 and monitor the project area for a minimum of three years post disturbance to insure that no noxious or problem weeds establish on site.

*Finding on the Public Land Health Standard for plant and animal communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial):* The proposed action, implemented with the applied mitigation, by enhancing managed livestock grazing on upland plant communities, will enable us to continue to meet the Standard now and in the future.

## **WILDLIFE, AQUATIC (includes a finding on Standard 3)**

*Affected Environment:* Those portions of Timber Gulch affected by the proposed action are ephemeral and there is no reasonable likelihood that the channel could be capable of supporting aquatic habitat conditions in the foreseeable future.

*Environmental Consequences of the Proposed Action:* Relocating this fence 0.25 mile east of its existing location would have no measurable consequence on Timber Gulch channel function or the capability of the system to support aquatic habitat. In the broader context, gaining desired levels of grazing utility from this portion of the pasture would help achieve the intent of this allotment's overall livestock grazing system, and help reduce the intensity or duration of livestock use on other pasture's channel and upland resources.

*Environmental Consequences of the No Action Alternative:* Continued disuse of this portion of the pasture would continue to manifest itself in other pastures within the allotment by incrementally increasing either the intensity or duration of livestock use.

*Mitigation:* None

*Finding on the Public Land Health Standard for plant and animal communities* (partial, see also Vegetation and Wildlife, Terrestrial): This channel does not possess the attributes necessary to support an aquatic community in the foreseeable future. Past in-channel reservoir construction (fisheries-oriented) and historic grazing use in this drainage have drastically altered channel dynamics such that this stream reach does not meet the standard. This project is an incremental step toward enhancing the long term function and condition of the allotment's (including Timber Gulch) valley and channel system, and so contributes to the ultimate goal of meeting the standard.

## **WILDLIFE, TERRESTRIAL** (includes a finding on Standard 3)

*Affected Environment:* This steep mountain shrub slope and valley bottom area is used in varying degrees by deer and elk throughout the year, although primary use is achieved during the fall, early winter, and spring months. Non-game wildlife using this area are typical and widely distributed in extensive like habitats across the Resource Area and northwest Colorado; there are no narrowly endemic or highly specialized species known to inhabit those lands potentially influenced by this action.

*Environmental Consequences of the Proposed Action:* Relocating this fence 0.25 mile east of its existing location would have no measurable consequence on the condition or utility of big game habitats in the project area. Use levels in this portion of the pasture would increase in response to water availability, but in the broader context, gaining desired levels of grazing utility from this portion of the pasture would help achieve the desired objectives of this allotment's overall livestock grazing system, helping to better balance the intensity and/or duration of livestock use with herbaceous understory values in other pasture's within the allotment (see Shults/Segar Gulch allotment grazing management plan).

*Environmental Consequences of the No Action Alternative:* Continued disuse of this portion of the pasture would continue to manifest itself in other pastures within the allotment by incrementally increasing either the intensity or duration of livestock use. Particularly in those instances where the allotment-wide grazing system was intended to enhance channel function and/or promote more vigorous and dense herbaceous understory character, the no-action alternative would be counterproductive to attaining these objectives.

*Mitigation:* None.

*Finding on the Public Land Health Standard for plant and animal communities* (partial, see also Vegetation and Wildlife, Aquatic): The terrestrial habitats comprising the project area currently meet the standards for public land health. This project would be consistent with long term efforts to enhance herbaceous understory conditions throughout the allotment, and as such, would aid in the continued meeting of the standard.

**OTHER NON-CRITICAL ELEMENTS:** For the following elements, only those brought forward for analysis will be addressed further.

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Access and Transportation		X	
Cadastral Survey	X		
Fire Management	X		
Forest Management	X		
Geology and Minerals		X	
Hydrology/Water Rights	X		
Law Enforcement		X	
Paleontology			X
Rangeland Management			X
Realty Authorizations	X		
Recreation		X	
Socio-Economics		X	
Visual Resources		X	
Wild Horses	X		

## PALEONTOLOGY

*Affected Environment:* Timber Gulch Riparian Pasture Fence Relocation is located in the Class I geologic units of the Uinta Formation an area unlikely to produce recoverable fossils.

*Environmental Consequences of the Proposed Action:* The proposed action does not appear to have the potential to impact scientifically important fossils

*Environmental Consequences of the No Action Alternative:* There would not be any impacts to fossil resources under the No Action Alternative.



*Mitigation:* If paleontological materials (fossils) are uncovered during project activities, the operator is to immediately stop activities that might further disturb such materials, and contact the authorized officer (AO). The operator and the authorized officer will consult and determine the best option for avoiding or mitigating paleontological site damage.

## **RANGELAND MANAGEMENT**

*Affected Environment:* The proposed action is within the Bear Ridge pasture of the Segar Gulch allotment (06008). This pasture is used by the Shults livestock operation as part of a four pasture rotation system. Typically, this pasture is used in the late summer, early fall. Due to the present fence location, livestock do not have access to any perennial water source at the east end of the pasture.

*Environmental Consequences of the Proposed Action:* The fence relocation will allow livestock to use Timber Gulch Spring while they are in the Bear Ridge pasture. This will result in much improved livestock distribution in this pasture and enhance our ability to achieve the vegetation objectives of the Standards, the White River ROD/RMP and the Shults/Dry Fork AMP.

*Environmental Consequences of the No Action Alternative:* Without access to the spring that will be made possible by the fence relocation, livestock distribution and patterns of forage utilization will be less than desirable.

*Mitigation:* none

**CUMULATIVE IMPACTS SUMMARY:** No cumulative impacts were identified.

**PERSONS / AGENCIES CONSULTED:** Lonnie and Todd Shults

### **INTERDISCIPLINARY REVIEW:**

<b>Name</b>	<b>Title</b>	<b>Area of Responsibility</b>
Caroline Hollowed	Hydrologist	Air Quality
Tamara Meagley	NRS	Areas of Critical Environmental Concern
Tamara Meagley	NRS	Threatened and Endangered Plant Species
Gabrielle Elliot	Archaeologist	Cultural Resources Paleontological Resources
Mark Hafkenschiel	Rangeland Management Specialist	Invasive, Non-Native Species
Ed Hollowed	Wildlife Biologist	Migratory Birds
Ed Hollowed	Wildlife Biologist	Threatened, Endangered and Sensitive Animal Species, Wildlife

<b>Name</b>	<b>Title</b>	<b>Area of Responsibility</b>
Marty O'Mara	Hazmat Collateral	Wastes, Hazardous or Solid
Caroline Hollowed	Hydrologist	Water Quality, Surface and Ground Hydrology and Water Rights
Mark Hafkenschiel	Rangeland Management Specialist	Wetlands and Riparian Zones
Chris Ham	ORP	Wilderness
Mark Hafkenschiel	Rangeland Management Specialist	Soils
Mark Hafkenschiel	Rangeland Management Specialist	Vegetation
Ed Hollowed	Wildlife Biologist	Wildlife Terrestrial and Aquatic
Chris Ham	ORP	Access and Transportation
Ken Holsinger	NRS	Fire Management
Robert Fowler	Forester	Forest Management
Paul Daggett	Mining Engineer	Geology and Minerals
Mark Hafkenschiel	Rangeland Management Specialist	Rangeland Management
Penny Brown	Realty Specialist	Realty Authorizations
Chris Ham	ORP	Recreation
Chris Ham	ORP	Visual Resources

# **Finding of No Significant Impact/Decision Record (FONSI/DR)**

**CO-110-2004-118 -EA**

**FINDING OF NO SIGNIFICANT IMPACT (FONSI)/RATIONALE:** The environmental assessment and analyzing the environmental effects of the proposed action have been reviewed. The approved mitigation measures (listed below) result in a Finding of No Significant Impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

**DECISION/RATIONALE:** It is my decision to relocate that portion of the Timber Gulch Riparian Pasture Fence that has been analyzed in this EA because the relocation will enable Shults livestock to be better distributed in the Bear Ridge pasture, thereby enhancing achievement of the vegetation objectives of the Shults/Dry Fork Allotment Management Plan.

**MITIGATION MEASURES:** 1) All construction must be confined the surveyed route of the new fence line and the fence line to be removed.

2) Revegetate all disturbed areas with native seed mix #6 and monitor the project site for a minimum of three years post construction to insure that no noxious or problem weeds establish onsite.

3) The operator shall be required to collect and properly dispose of any solid wastes generated by this project.

4) Promptly revegetate all earthen disturbances and monitor the project area for a minimum of three years to insure that no noxious or problem weeds establish onsite.

5) If paleontological materials (fossils) are uncovered during project activities, the operator is to immediately stop activities that might further disturb such materials, and contact the authorized officer (AO). The operator and the authorized officer will consult and determine the best option for avoiding or mitigating paleontological site damage.

**COMPLIANCE/MONITORING:** Compliance/monitoring will be done yearly by the range specialist.

**NAME OF PREPARER:** Mark Hafkenschiel 7/6/04

NAME OF ENVIRONMENTAL COORDINATOR: *Caroline P. Hlubec* 7/7/04

SIGNATURE OF AUTHORIZED OFFICIAL: *Hunt C. Walter*  
Field Manager

DATE SIGNED: 7/7/04

ATTACHMENTS: Location map of the proposed action.

## Location of Proposed Action CO-110-2004-118-EA

